



PUBLIC NOTICE

Federal Communications Commission
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DA 00-1990
August 30, 2000

**Energy Pool Funds Administration Limited Seeks Commission
Determination of "Exempt Telecommunications Company" Status Under
the Public Utility Holding Company Act**

NSD File No: ETC 00-35
Pleading Cycle Established

Comments Due: September 20, 2000 Reply Comments Due: September 27,

2000

On August 18, 2000, Energy Pool Funds Administration Limited ("EPFAL" or "Applicant"), pursuant to section 34(a)(1) of the Public Utility Holding Company Act of 1935 ("PUHCA"), as added by section 103 of the Telecommunications Act of 1996, Pub. L. No. 104-104, filed an application requesting a Commission determination that it is an exempt telecommunications company ("ETC").

The application states that EPFAL is a wholly owned indirect subsidiary of The National Grid Group plc, a public limited company organized under the laws of England and Wales and a public utility holding company registered under PUHCA. EPFAL is an associate company within the meaning of Section 2(a)(10) of PUHCA of the following public utility companies: Massachusetts Electric Company, The Narragansett Electric Company, Granite State Electric Company, Nantucket Electric Company, New England Power Company, New England Electric Transmission Corporation, New England Hydro-Transmission Corporation, and New England Hydro-Transmission Electric Company, Inc.

The application states that EPFAL is and will be engaged directly or indirectly through one or more "affiliates" (as defined in Section 2(a)(11)(B) of PUHCA), exclusively in the business of providing telecommunications services, information services, other services or products subject to the jurisdiction of the Commission and/or products or services that are related or incidental to the provision of such products or services within the meaning of Section 34(a)(1) of PUHCA.

The application further states that EPFAL is the Pool Funds Administrator for the England and Wales electricity market. In this capacity it has designed and developed specialized information processing systems to prepare and disseminate invoices, manage and record fund transfers and monitor the credit of various market participants. EPFAL also has designed and developed computerized information systems that operate in support of the "On the Day

Commodity Market” for UK natural gas trading. Through the use of various computerized information and communications systems, EPFAL acts as the clearing bank for the UK electricity industry.

In accordance with 47 C.F.R. section 1.5004, if the Commission does not issue an order denying an ETC application within 60 days of receipt of the application, in this case, August 18, 2000, the application will be deemed granted as a matter of law. In accordance with 47 C.F.R. section 1.5003, a person applying in good faith for a Commission determination of ETC status is deemed to be an ETC from the date of receipt of the application, in this case, August 18, 2000, until the date of Commission action pursuant to 47 C.F.R. section 1.5004. In accord with 47 C.F.R. section 1.5005, the Secretary of the Commission is now notifying the Securities and Exchange Commission (SEC) that the Applicant is deemed to be an exempt telecommunications company. In the event that the Commission issues an order within 60 days of receipt of the application denying the application, the Secretary will so notify the SEC. Otherwise, the Commission will take no further action to grant this application.

This proceeding is considered a "permit but disclose" proceeding for purposes of the Commission's *ex parte* rules. See generally 47 C.F.R. sections 1.1200 - 1.1206. Persons wishing to file comments, regarding the adequacy or accuracy of the Applicants' application requesting status as an ETC, must do so no later than **September 20, 2000**. All comments should also be served on the Applicants. Reply comments must be filed no later than **September 27, 2000**.

Interested parties should file an original and four copies of their comments with the Office of the Secretary, Federal Communications Commission, 445 Twelfth St., SW, Room TW-A325, Washington, D.C. 20554. In addition, parties should send one copy to ITS, at 1231 20th Street, NW, Washington, D.C. 20036 and two copies to Al McCloud, Common Carrier Bureau, Network Services Division, FCC, 445 12th Street, SW, Room 6-A320, Washington, D.C. 20554. All filings concerning any of the matters referenced in this Public Notice should refer to NSD file number, **ETC-00-35**.

The application will be available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, SW, Room CY-A257, Washington, DC 20554. The application may also be purchased from the Commission's copy contractor, International Transcription Service, Inc. (ITS), 1231 20TH Street, NW, Washington, DC 20036, telephone 202-857-3800, facsimile 202-857-3805, TTY 202-293-8810.

For further information, contact Al McCloud, (202) 418-2499 (voice), amccloud@fcc.gov or Marty Schwimmer, (202) 418-2320 (voice), mschwimm@fcc.gov, of the Network Services Division, Common Carrier Bureau. The TTY number is (202) 418-0484. You may also find more information about Exempt Telecommunications Companies at the NSD website: <http://www.fcc.gov/ccb/nsd/documents/ETC.html>.

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